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9 Attorneys for Plaintiffs  
10 DAVID CHENAULT and  
11 THELMA CHENAULT  
12

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15

16 **IN RE: BEXTRA AND**  
17 **CELEBREX MARKETING,**  
18 **SALES PRACTICES AND**  
19 **PRODUCTS LIABILITY**  
20 **LITIGATION**

Case No. M 05-CV-1699-CRB

MDL No. 1699

JUDGE BREYER

21 **This document relates to:**  
22 **DAVID CHENAULT and**  
23 **THELMA CHENAULT**  
24 **Individual Case No. C 06-0228 CRB**

25 **STIPULATION AND ORDER OF**  
26 **DISMISSAL ONLY AS TO CASE**  
27 **NUMBER 05-6381, ORIGINALLY**  
28 **FILED IN THE CENTRAL**  
**DISTRICT OF CALIFORNIA**


29 **IT IS HEREBY STIPULATED AND AGREED** by and between counsel for  
30 Plaintiffs and counsel for Defendants that the Complaint of Plaintiffs, David  
31 Chenault and Thelma Chenault, originally filed in the Central District of California,  
32 Case Number CV 05-6381 SJO, and later transferred to the MDL No. 1699, *In Re:*  
33 *Bextra and Celebrex, Marketing, Sales Practices and Products Liability Litigation,*  
34 with the assigned individual case number C 06-0228 CRB, may be and is hereby  
35 dismissed without prejudice.

1 The parties hereby stipulate that should Plaintiffs ever re-file Plaintiffs' claim,  
2 Plaintiffs will only re-file in Federal Court.

3 The parties shall each bear their own costs.

4  
5 Dated: August 16, 2006

ROBINSON, CALCAGNIE & ROBINSON

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17 -AND-

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26 DAVID CHENAULT and THELMA CHENAULT

27  
28 Dated: August \_\_, 2006

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37 *Defendants' Liaison Counsel*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: August 25, 2006

~~HONORABLE CHARLES R. BREYER~~

